

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

MELVA N. MILLER,

Case No. 2:17-CV-2103 JCM (DJA)

ORDER

V.

## GREYHOUND LINES, INC., et al.,

Defendant(s).

Presently before the court is the matter of *Miller v. Greyhound Lines, Inc., et al.*, case no. 2:17-cv-02103-JCM-DJA. Plaintiff Melva N Miller asserts six causes of action against defendant Greyhound Lines, Inc. (“Greyhound”): negligence; strict products liability; negligent failure to inspect and warn; breach of implied warranty; negligent hiring, training, and supervision;<sup>1</sup> and negligent entrustment. (ECF No. 1).

On December 4, 2019, Greyhound filed seven motions for partial summary judgment. (ECF Nos. 98–101, 104–105). Each motion addresses one of the six causes of action, and the seventh motion addresses plaintiff’s request for punitive damages. *See id.*

Local Rule 7-3 provides that “[m]otions for summary judgment and responses to motions for summary judgment are limited to 30 pages, excluding exhibits.” LR 7-3(a). The Rule also states that, “[i]n the absence of a court order by the deadline for the underlying motion or brief, the motion to exceed page limits is deemed denied.” LR 7-3(c).

<sup>1</sup> Although plaintiff asserts three different claims—one negligent hiring claim, one negligent training claim, and one negligent supervision claim—Nevada law treats this as one claim. *See, e.g., Okeke v. Biomat USA, Inc.*, 927 F. Supp. 2d 1021, 1028 (D. Nev. 2013); *Reece v. Republic Services, Inc.*, 2:10-cv-00114-GMN-RJJ, 2011 WL 868386, \*11 (D. Nev. Mar. 10, 2011). The court will do the same.

1           Greyhound's motions are clearly an attempt to sidestep the 30-page limit for summary  
2 judgment motions. Courts in this district have denied rule-avoiding motions in similar  
3 circumstances.

4           For instance, in *Ahuja v. W. United Ins. Co.*, “[d]efendant proceeded to file four separate  
5 motions for summary judgment. Three motions attacked [p]laintiff's contract-based claims,  
6 [p]laintiff's claim under Nevada's unfair trade practices laws, and [p]laintiff's request for  
7 punitive damages. The fourth motion contested whether the car accident caused [p]laintiff's  
8 injuries.” *Ahuja v. W. United Ins. Co.*, No. 3:13-CV-00038-MMD, 2015 WL 5310751, at \*2 (D.  
9 Nev. Sept. 11, 2015). The court noted that, “[t]ogether, [d]efendant's four motions exceeded the  
10 local rules' page limit” and “accordingly denied the motions without prejudice and ordered their  
11 consolidation.” *Id.*

12           Thus, the court will deny the motions without prejudice. Greyhound is instructed to file a  
13 single motion for summary judgment that complies with this court's rules.

14           The court finds it necessary to remind Greyhound of Local Rule 7-3(c), which provides,  
15 in relevant part, as follows:

16           The court looks with disfavor on motions to exceed page limits, so  
17 permission to do so will not be routinely granted. A motion to file  
18 a brief that exceeds these page limits will be granted only upon a  
19 showing of good cause. A motion to exceed these page limits must  
20 be filed before the motion or brief is due and must be accompanied  
21 by a declaration stating in detail the reasons for, and number of,  
additional pages requested. The motion must not be styled as an ex  
parte or emergency motion and is limited to three pages in length.  
Failure to comply with this subsection will result in denial of  
the request. The filing of a motion to exceed the page limit does  
not stay the deadline for the underlying motion or brief.

22           LR 7-3(c).

23           Accordingly,

24           IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Greyhound's motion for  
25 partial summary judgment (ECF No. 98) be, and the same hereby is, DENIED without prejudice.

26           IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Greyhound's motion for  
27 partial summary judgment (ECF No. 99) be, and the same hereby is, DENIED without prejudice.

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Greyhound's motion for partial summary judgment (ECF No. 100) be, and the same hereby is, DENIED without prejudice.

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Greyhound's motion for partial summary judgment (ECF No. 101) be, and the same hereby is, DENIED without prejudice.

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Greyhound's motion for partial summary judgment (ECF No. 103) be, and the same hereby is, DENIED without prejudice.

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Greyhound's motion for partial summary judgment (ECF No. 104) be, and the same hereby is, DENIED without prejudice.

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Greyhound's motion for partial summary judgment (ECF No. 105) be, and the same hereby is, DENIED without prejudice.

DATED December 5, 2019.

James C. Mahan  
UNITED STATES DISTRICT JUDGE